

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Civil 05-916 (JRT/FLN)

Petitioner,

v.

O R D E R

CEDRIC DILLARD,

Respondent.

PERRY F. SEKUS Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 600 United States Courthouse, 300 South Fourth Street, Minneapolis, Minnesota 55415, for petitioner.

KATHERINE MENENDEZ, Assistant Federal Public Defender, **OFFICE OF THE FEDERAL PUBLIC DEFENDER**, 107 United States Courthouse, 300 South Fourth Street, Minneapolis, Minnesota 55415, for respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated July 5, 2005, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that the Government's petition to determine mental condition of an imprisoned person under 18 U.S.C. Section 4245 [#1] is GRANTED. Mr. Dillard is committed to the custody of the Attorney General and hospitalized at FMC Rochester.

DATED: July 25, 2005
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge